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SKYWEST AIRLINES, INC.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

SKYWEST PILOTS ALPA ORGANIZING
COMMITTEE, et al.,

Plaintiffs,

vs.

SKYWEST AIRLINES, INC.,

Defendant.

Case No. C-07-2688 CRB

**DECLARATION OF ROBERT SPAGAT IN
SUPPORT OF DEFENDANT'S MOTION
TO STRIKE PLAINTIFFS' HEARSAY
TESTIMONY CONDITIONALLY
ADMITTED**

1 I, Robert Spagat, declare:

2 1. I am an attorney admitted to practice before this Court. I am a partner with the law
3 firm of Winston & Strawn LLP, and one of the attorneys for Defendant SkyWest airlines,
4 incorporated.

5 2. I have personal knowledge of the matters set forth herein and, if called as a witness, I
6 could and would testify competently thereto.

7 3. Attached hereto as Exhibit A is a true and correct copy of excerpts of the Reporter's
8 Transcript of Proceedings for the June 7, 2007 hearing.

9 4. There are 12 excerpts of hearsay testimony from the June 7, 2007 hearing that are at
10 issue. These are marked in Exhibit A with brackets.

11 5. The first nine excerpts at issue are from the direct examination of Steven Dow and the
12 page/line citations are:

- 13 a. 13:19-15:18
- 14 b. 25:17-27:2
- 15 c. 27:19-28:10
- 16 d. 28:12-22
- 17 e. 37:2-42:2
- 18 f. 45:15-47:20
- 19 g. 51:21-52:3
- 20 h. 52:4-53:14
- 21 i. 64:4-66:13

22 6. The tenth excerpt is from the direct examination of David Boehm and the page/line
23 citation is:

- 24 a. 166:13-18

a. 200:18-201:5

a. 239:13-242:5


10. Attached hereto as Exhibit B is a true and correct copy of excerpts of the draft of the Reporter's Transcript for the June 8, 2007 hearing.

12. The excerpts of hearsay testimony from the June 8, 2007 hearing that is at issue is from Mark Nolin's direct examination at page/line:

a. 121:11-123:11

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct and that I signed this declaration in the State of California.

Executed at San Francisco, California this 12th day of June, 2007.


Robert Spagat